



Docket No. 5878.P003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Harry Bims

Application No. 10/044,175

Filed: January 11, 2002

For: TOKEN-BASED RECEIVER DIVERSITY

Examiner: Nguyen, Duc M..

Art Unit: 2685

Confirmation No.: 1604

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SEP 14 2004

Technology Center 2600

Mail Stop Appeal Brief-Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME
PURSUANT TO 37 C.F.R. § 1.136 (a)**

Sir:

Applicant respectfully requests a one-month extension of time in which to respond to the Final Office Action of Nonprovisional Application mailed May 5, 2004 for which a three-month response period expiring on August 5, 2004 was set. The extended period expires on September 5, 2004.

A check for \$110.00 is enclosed to cover the fee for a one-month extension of time. If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 9/2, 2004

Kevin G. Shao
Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
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"Express Mail" mailing label number: EV 409 411 772 45

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I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" on the date indicated above and that this paper or fee has been addressed to Mail Stop Appeal Brief-Patents to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

CATHY BACKMANN
(Typed or printed name of person mailing paper or fee)

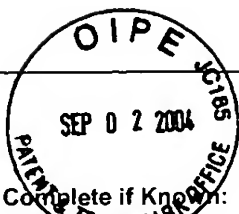
Cathy Back
(Signature of person mailing paper or fee)

9-2-04
(Date signed)

09/09/2004 RADDF01 00000013 10044175

02 FC:1251

110.00 DP

**FEE TRANSMITTAL FOR FY 2004**

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 440.00**RECEIVED**

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Complete if Known:

Applicant 10/044,175Filing Date January 11, 2002First Named Inventor Harry BimsExaminer Name Nguyen, Duc MArt Unit 2685Attorney Docket No. 005878.P003☐ Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Credit any overpayments.☒ Charge any additional fees during the pendency of this application.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.☐ Charge fee(s) indicated below except for the filing fee.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	770	2001	385	Utility application filing fee	_____
1002	340	2002	170	Design application filing fee	_____
1003	530	2003	265	Plant filing fee	_____
1004	770	2004	385	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ _____

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u>19</u>	- 20** = <u>0</u>	X _____	= <u>0</u>
Independent Claims	<u>4</u>	- 3** = <u>0</u>	X _____	= <u>0</u>
Multiple Dependent			_____	= <u>0</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	<u>\$110.00</u>
1252	420	2252	210	Extension for reply within second month	_____
1253	950	2253	475	Extension for reply within third month	_____
1254	1,480	2254	740	Extension for reply within fourth month	_____
1255	2,010	2255	1,005	Extension for reply within fifth month	_____
1401	330	2401	165	Notice of Appeal	<u>\$330.00</u>
1402	330	2402	165	Filing a brief in support of an appeal	_____
1403	290	2403	145	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,330	2453	665	Petition to revive - unintentional	_____
1501	1,330	2501	665	Utility issue fee (or reissue)	_____
1502	480	2502	240	Design issue fee	_____
1503	640	2503	320	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	770	2801	385	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 440.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Kevin G. ShaoSignature:  Date: 9/2/2004Reg. Number: 45,095 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450